

California Victim Compensation and Government Claims Board
Open Meeting Minutes
December 13, 2012, Board Meeting

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Leslie Lopez, Deputy Secretary and General Counsel, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Thursday, December 13, 2012, at 10:01 a.m. Also present was Board member Richard Chivaro, Chief Counsel, acting for and in the absence of John Chiang, Controller. Board member Michael Ramos, San Bernardino County District Attorney, was absent.

Board staff present included Executive Officer Julie Nauman and Chief Counsel Wayne Strumpfer. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Item 1. Approval of Minutes of the November 29, 2012, Board Meeting

The Board approved the minutes of the November 29, 2012, Board meeting.

Item 2. Public Comment

The Board opened the meeting for public comment. No public comment was provided.

Item 3. Executive Officer's Statement

CaRES Modification Project Updates

- Based on the successful system and user-testing period, CalVCP is prepared to implement the Increment One cutover into the full production environment this weekend. Increment One strengthens the foundation of CaRES resulting in a faster system. There will be a two-week stabilization period for Increment One. The CaRES Modification Team will monitor its success as they begin work on implementation of Increment Two which will resolve application architectural issues and improve the stability of CaRES by increasing the performance and efficiency of the system.
- AB 1299, the bill signed by the Governor that triples the time period allowed for victims of violent crime to apply for financial assistance for crime-related expenses, will take effect on January 1st. With the implementation of the important new bill, CalVCP will need to make modifications to the CaRES system in order to carry out the changes to implement the new policy. Because the work needed is outside the scope of CalVCPs current CaRES Modification Project contract, an RFO will be prepared to modify CaRES.

National Drunk and Drugged Driving Prevention Month

December is National Drunk and Drugged Driving Prevention Month. To commemorate the occasion, last week CalVCP attended MADD California's Annual Candlelight Vigil of Remembrance and Hope to remember loved ones killed or injured by drunk drivers. 425 candles were lit at the Victim Roll Call to remember the victims and survivors of DUI crashes in California.

2013-14 Governor's Proposed Budget

With the release of the Governor's Budget on January 10, Executive Officer Nauman will discuss the status of the Restitution Fund at the January 17th meeting. Ms. Nauman had a successful meeting with CalVCPs stakeholders and anticipates their attendance at the meeting and participation in the discussion regarding the condition of the Restitution Fund.

Announcement of New Government Claims Program Manager

Mindy Fox, Deputy Executive Officer, Government Claims Program, announced that Nicholas Wagner was the new manager of the Government Claims Program and would present the Government Claims Program items.

Item 4. Government Claims Program

Consent Agenda (Nos. 1- 118)

The Board adopted the staff recommendations for item numbers 1-118, with the exception of item number 114, which was removed to allow the involved parties the opportunity to negotiate a settlement.

Item 5. Claim of The Regents of the University of California, Davis

Karin Shine was in attendance at the meeting on behalf of the Department of Water Resources.

Nicholas Wagner, Government Claims Program Manager, explained that The Regents of the University of California, Davis (Regents) requested payment from the Department of Water Resources (DWR) in the amount of \$70,000.00 for research performed between September 18, 2006, and January 5, 2009.

Mr. Wagner stated that GCP staff reviewed the claim and determined that it was complete and timely, pursuant to Government Code sections 910 and 911.2. The Regents provided satisfactory services to DWR and has not been compensated. Based on consideration of the facts of the claim and the parties' mutual desire to settle the matter through the Board action, GCP staff recommended that the claim be allowed in the amount of \$70,000.00, under authority of Government Code section 965 (agency pay).

The Board adopted the staff recommendation to allow the claim.

Item 6. Applications for Discharge From Accountability for Collection

The Board approved the 41 requests by State agencies for discharge from accountability for collection of debt totaling \$220,700,016.48.

Item 7. Claim of Raynard Mr. Darrett (Pen. Code, §4900 et seq.)

Jennifer Poe, Deputy Attorney General, appeared on behalf of the California Department of Justice, Office of the Attorney General. Raynard Darrett, claimant, failed to appear.

Wayne Strumpfer, VCGCB Chief Counsel, explained that the claim involved the Penal Code section 4900 claim of Raynard Darrett. He stated that Mr. Darrett was not present; however, Ms. Poe was in attendance on behalf of the Attorney General's Office and could answer questions of the Board.

Chairperson Lopez stated that she read the hearing officer's proposed decision and did not have any questions.

The Board adopted the hearing officer's recommendation to deny the claim.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 10:08 a.m.

Closed Session

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer and Chief Counsel at 10:08 a.m. to deliberate on the proposed decisions numbers 1-103.

Open Session

The Board reconvened into open session at 10:10 a.m. The Board adopted the proposed decisions for numbers 1-103.

The Board meeting adjourned at 10:10 a.m.